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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Manning *et al.*

Confirmation No.: 6909

Serial No.: 10/665,715

Art Unit: To be assigned

Filed: September 19, 2003

Examiner: To be assigned

For: COMPOSITIONS AND
METHODS FOR MODULATING
ACTIVATION OF NF- κ B

Attorney Docket No: 10624-142-999
(CAM:) (700755-999141)

PRELIMINARY AMENDMENT UNDER 37 C.F.R. § 1.115

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 1.115, please enter the following amendments and consider the remarks below.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.

08/04/2004 GDUCKETT 00000002 503013 10665715

01 FC:1201 86.00 DA
02 FC:1203 290.00 DA

REMARKS

Claims 1-28 are pending in the instant application. In the instant Amendment, claims 1-28 are canceled without prejudice, and new claims 29-43 are added. Thus, after entry of the instant Amendment, claims 29-43 will be pending. Claims 29-43 are supported by the claims as originally filed and in the specification at pages 21-24 ("Ubiquitination Assays"). Applicants expressly reserve the right to pursue any canceled subject matter in one or more related, continuation, divisional or continuation-in-part application(s). The new claims are fully supported by the specification and claims as originally filed, and do not constitute new matter. Entry thereof is therefore respectfully requested.

CONCLUSION

Applicants submit that claims 29-43 satisfy all of the criteria for patentability and are in condition for allowance. An early indication of the same and passage of claims 12-30 to issuance is therefore kindly solicited.

No fees are believed due in connection with this preliminary amendment. However, the Commissioner is authorized to charge all required fees, fees under 37 C.F.R. § 1.17 and all required extension of time fees, or credit any overpayment, to Jones Day U.S. Deposit Account No. 503013.

Respectfully submitted,

Date: June 11, 2004

By: *[Signature]* Reg. No. 49,020

[Signature] 35,203
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